

ARTICLES
AND
RULES
FOR THE
BETTER GOVERNMENT
OF
His Majesties
Forces in SCOTLAND.



Edinburgh, Printed by Andrew Anderson, Printer
to the King's most Excellent Majesty. 1675.

CHARLES R.

Articles and Rules for the better Government of His *Majesties* Forces in Scotland.

ARTICLE I.



ALL Officers and Souldiers (not having just impediment) shall diligently frequent Divine Service and Sermon, on Sun-dayes and other dayes set a part for publick Fasting and Humiliation, in such Places as shall be appointed for the Regiment wherein they serve. And for those, who either wilfully or negligently absent themselves from Divine Service or Sermon, or else being present, do behave themselves undecently or irreverently during the same; if they be Officers, they shall be severely reprehended at a Court-Martial: But if Souldiers, they shall for every such first offence forfeit each man 12. pence to be deducted out of his next pay, and for the second offence, shall forfeit 12. pence, and be laid in Irons for 12. hours. And for every like offence afterwards, shall suffer and pay in like manner.

A R T. II.

During the time of Divine Service, Publick Prayers, and Sermon, as aforesaid, If any Suttle or Seller of Ale, Beer, Wine, or any sort of Drinks, Bread, Victuals, or other Commodities or Merchandize whatsoever attending the Army, shall put or set any such thing to sale, he shall forfeit the full value thereof for the use of the Poor.

A R T. III.

Whoever shall use any unlawful Oath or Execration, (whether Officer or Souldier) shall incur the same penalty that is expressed in the first Article.

A R T. IV.

If any Officer or Souldier shall presume to blaspheme the Holy and Individed Trinity, or the Persons of God the Father, God the Son, or God the Holy Ghost or shall presume to speak against any known Article of the Christian Faith, he shall have his tongue bored through with a red hote Iron.

A R T. V.

If any Officer or Souldier shall abuse or profane any Place dedicated to the Worship of God, or shall offer violence to any Minister or Chaplain of the Army, or any other Minister of Gods Word, he shall suffer such punishment as shall be inflicted on him by a Court-Martial.

But whoever shall take any of the Utencils or Ornaments belonging or dedicated to Gods Worship in any Church or Chappel, shall suffer Death for the Fact.

A R T. VI.

After the service of God Almighty, all Officers and Souldiers shall serve us faithfully, to the best of their Skill, Power and Understanding, and to that purpose, every one of them of what quality or condition soever, shall for himself take the following Oath, which shall be administered by such person or persons, and in such places as Our Self, Our General, or the Chief-Officer commanding our Forces shall appoint.

The Oath of Fidelity to be taken by every Officer and Souldier in the Army.

I A. B. Do swear to be true and faithful to my Sovereign Lord King CHARLES, and to his Heirs
and

and lawful Successors; and to be obedient in all things to his General or Lieutenant-General for the time being; and will behave my self obediently towards my Superior-Officers, in all they shall command me for His Majesties Service. And I do further swear, That I will be a true, faithful and obedient Servant and Souldier, every way performing my best endeavours for His Majesties Service, obeying all orders and submitting to all such Rules and Articles of War, as are or shall be established by His Majesty. So help me God, &c.

A R T. VII.

NO Officer or Souldier shall use any traiterous words against the Sacred Person of the King's most Excellent Majesty upon pain of death.

A R T. VIII.

WHoever shall hold correspondence with any of our Enemies, or shall give them advice or intelligence, either by Letters, Messages, Signs, or Tokens, or any manner of way whatsoever shall suffer death for it. And whatever Regiment, Troop or Company shall treat with the Enemy, or enter into any condition with them, without our leave, or leave of Our General or of the chief Commander in his absence, the Officers of such Regiments, Troop or Company, who are found guilty, shall die for it, and of the Souldiers who shall consent therunto, every tenth man by lot shall be hanged, and the rest shall be punished at the discretion of our General. But whatever Officers or Souldiers can prove that they did their utmost to resist and avoid such a Treaty, and were no way partakers of the Crime, they shall not only go free, but also be rewarded for their Constancy and Fidelity.

A R T. IX.

WHoever shall go about to entice or perswade either Officer or Souldier, to joyn or engage in any traiterous

traiterous or rebellious Acts, either against our Royal Person, or Kingly Government, shall suffer Death for it; and whoever shall not reveal to his Superior Officer such a Conspiracy or intended Rebellion so soon as ever it shall come to his knowledge, shall be judged equally guilty with the Contrivers of such a Plot or Conspiracy, and consequently shall suffer the same penalty.

A R T. X.

IF any Officer or Souldier shall behave himself disgracefully towards our General, Lieutenant-General, or other Chief Commander of the Army, or speak words tending to his hurt or dishonor, he shall die for it.

A R T. XI.

HE who in presence of our General, Lieutenant-General, or other Commander in Chief, shall draw his sword with a purpose to do any Officer, or any of his fellow-souldiers a mischief, shall die for it.

A R T. XII.

Such respect and obedience as is due to our General or Great-Officer from those under his Command, is likewise due unto all Superior Officers from their Inferiors, under the like penalty.

A R T. XIII.

VWhoever shall presume to violate any Safe-guard, Conduct, or Protection, given by Us, Our General, Lieutenant-General, or other Commander in Chief of our Forces (knowing the same) shall suffer death.

A R T. XIV.

IF any number of Souldiers shall presume to assemble to take counsel amongst themselves for the demanding their pay, any Inferior Officers accessory thereunto shall suffer death for it, as the Heads and Ring-leaders of such Mutinous and Seditious Meetings; and if any Captain
being

being privy thereunto, shal not suppress the same, or complain of it, he shal likewise be punished with death.

A R T. X V.

NO Officer or Souldier shal utter any words tending to Sedition, Mutiny, or Uproar ; upon pain of death, or suffering such punishment as shal be inflicted upon him by a Court-Martial. And whoever shal hear any Mutinous or Seditious words spoken, and shal not with all possible diligence reveal the same to his Superior Officers or Commanders, shal be punished, as a Court-Martial shal think fit.

A R T. X V I.

If any Inferior Officer or Souldier, shal refuse to obey his Superior Officer, or quarrel with him he shal be cashiered : But if any shal presume, to resist any Officer in the Execution of his office, or shal strike, or lift up his hand to strike ; Or shal draw, or offer to draw, or lift up any weapon against his Superior Officer, upon any pretence whatsoever, he shal suffer death.

A R T. X V I I.

EVery Souldier, shal keep silence when the Army is marching, embattelling or taking up their Quarters, (to the end, that their Officers may be heard, and their Orders executed) upon pain of imprisonment, at the discretion of the Officers.

A R T. X V I I I.

HE, who shal in anger draw his Sword, whilst his Colours are flying, either in Battel, or upon the March ; unless it be against the Enemy, shall run the Goad-loup.

A R T. X I X.

VWhen any March is to be made, every man who is sworn to his Colours, shal follow them ; And whoever shal (without leave) stay behind, or depart
above

above a *mile* from the **Camp**, or out of the **Army** without licence, shal march in Irons, for such time as shal be found fit.

A R T. X X.

V VHen the **Army**, or any part of them, shal march through, or lodge in the Countrey; None of them shal extort free Quarter, or Money from them, or shal commit any waste or spoile: Or cut down Fruit-trees or Planting, deface walks of Trees, Parks, Warrens, Fish-ponds, Houses or Gardens, trade down, or otherwise destroy standing Corn in the ear. Neither shal they put their horses into Meadows without leave from their Chief Officer upon pain of severe punishment: But if any Officer or Souldier shal willfully burn any House, Barn, Stack of Corn, Hay, or Straw, or any Ship, Boate, or Carriage, or any thing which may serve for the provision of the **Army**, without leave from the Commander in chief, shal suffer death for it.

A R T. X X I.

V VHen the **Army**, or any part thereof, shal come to engage the Enemy in fight, whoever shal run from his Colours (be he Native or Stranger) or doth not defend them to the utmost of his power so long as they are in any danger, shal suffer death for it: And whatsoever person shal at any other time run away from his Colours, shal suffer death,

A R T. X X I I.

I F any Regiment, or Commanded party shal not behave themselves in fight against an Enemy, as they ought to do, they shal either die or be put out of the Quarters until by a notable Act they redeeme their honour.

A R T. X X I I I.

V VHen it shal please **G O D**, that Our Forces shal beat the Enemy, every man shal follow his Offi-
cer

cer in the chase ; But whoever shal presume to pillage or plunder , till the Enemy be entirely beaten , and any misfortune happen , he shal suffer death , or such other punishment as shal be pronounced against him by Our General Court-Martial, and the Pillage so gotten, shal be forfeited to the use of the Sick and maimed Souldiers,

A R T. XXIV.

VWhen any Town or Place shal be taken (though by assault) no man shal presume to Pillage any Church or Hospital (without leave or necessary reason) much lesse to set fire to any Church, Hospital, School, or Milne : Neither shall they offer violence to any Church-men, Aged-men or Women, Maids or Children ; unlesse they be found actually in arms against them , upon pain of Death : And whoever shal force a woman to abuse her (whether belonging to the Enemy or not) and the fact be sufficiently proven against him , he shal certainly suffer death for it.

A R T. XXV

IN what place soever it shal please G O D , that the Enemy shal be subdued and overcome, all the Ordinance, Ammunition and Victuals , that shal be there found , shal be secured for our use ; and for the better relief of the Army, and one tenth part of all the spoile shal be laid apart towards the relief of the sick and maimed Souldiers.

A R T. XXVI.

VWhoever shal take any General Officers as Prisoners, shal present them to Us , or Our General , or the Officer in Chief, commanding our Forces, who will reward them : And they who shal take other Prisoners, may keep to themselves, the Officers and Voluntiers, giving their Names to the Martial-General ; But shal not put them to Ransome , without Our , or Our General Officers leave. And they are immediately to send all privat Souldiers so taken, to the Martial-General, who is to take them into custody.

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A R T.

A R T. XXVII.

IF any Souldier shal be drunk in the Enemies Quarters, before they have wholly laid down their Arms and yeelded to mercy, and any hurt or mischief ensue thereon; he shal be punished according to the prejudice, if it be general, or with Irons, Bread and Water, if no hurt ensue it.

A R T. XXVIII.

All Officers whose charge it is, shal see the Quarters kept clean and neat, upon pain of severe punishment.

A R T. XXIX.

NO Officer shal ly out all night from the Camp or Quarters, without his Superior-Officers leave obtained for the same; upon pain of being punished for it, as a Court-Martial shal think fit. Neither shal any Souldier or Officer, go any by way to the Camp, other than the common way laid out for all, upon pain of being punished as aforesaid.

But if any Officer, shal without leave, be absent from his Quarters a week, he shal lose one months pay; and if longer, he shal be discharged of his Command or Place as a man unfit to bear office in the Army.

A R T. XXX.

NO Souldier shal presume to make any alarme in the Quarters, by shooting of his musket in the night, after the Watch is set; unlesse it be at an Enemy, upon pain of death.

A R T. XXXI.

NO Souldier shal in anger draw his sword in any Camp, Post, or Garrison, upon pain of death.

A R T. XXXII.

When warning is given for setting the Watch, by beat of Drum, or sound of Trumpet or Fife, if any Souldier shal absent himself without reasonable cause, he shal be

be punished by riding a Wooden-horse, or otherwise, at the discretion of the Commander.

And whatever souldier shal faile at the beating of a Drum or the sound of Trumpet or Fife, or upon any alarme given to repair to his Colours, with his Arms decently kept and well fixed (unlesse there be an evident necessity to hinder him from the same) he shal either be clapped in Irons for it, or suffer such other punishment, as a Court-Martial shal think fit.

A R T. XXXIII.

VWho ever makes known the Watch-word without order, or gives any other word but what is given by the Officer, shal suffer death.

A R T. XXXIV.

A Centinel who is found sleeping in any Post, Garrison, Trench, or the like (while he should be upon his duty) shal suffer death, or such other punishment as Our General Court-Martial shal by their sentence, inflict for the same.

And if a Centinel or Pardue shal forsake his place, before he be relieved or drawn off; or upon discovery of an Enemy shal not give warning to his Quarters according to direction, he shal suffer death or such other punishment as Our General Court-Martial shal think fit.

As Likewise, if any Souldier employed as a Scout, shal not go upon that Service so far as he is commanded; or having discovered an ambush or approach of the Enemy shal not return forthwith to give notice or warning to his Quarters, or if he enter into any house, and there or else where be found sleeping or drunk, whilst he should have been upon duty, he shal suffer death.

A R T. XXXV.

VWhoever shal do violence to any who shal bring vi-
tuals to the Camp or Garrison, or shal take his

Horfe or Goods, ſhal ſuffer death, or ſuch other puniſhment as he ſhal be ſentenced to by Our General Court-Martial.

If any any preſume to beat or abuſe his Hoſt, or the wife, child or ſervant of his Hoſt, where he is quartered or billeted, he ſhal be put in Irons for it : And if he do it a ſecond time, he ſhal be further puniſhed, and the Party wronged ſhal have amends made him. And if any preſume to exact free quarter without leave from the Chief Officer upon the place, they ſhal be ſeverely puniſhed at the diſcretion of a Court-Martial.

A R T, XXXVI.

NO Souldier or Officer ſhal uſe any reproachful or provoking Speech or Act to another, upon pain of imprisonment, and ſuch other puniſhment, as a Court-Martial ſhal think fit.

Neither ſhal any Officer or Souldier, preſume to ſend a Challenge to any other Officer or Souldier to fight a Duell; Neither ſhal any Souldier or Officer preſume to upbraid another for reſuſing a Challenge : For whoever ſhal offend in either of theſe caſes, if he be an Officer, he ſhal loſe his Place and Command, whatever it be; and if a private Souldier, he ſhal ride the Wooden-horſe, and be further puniſhed as a Court-Martial ſhal think fit. And if any Corporal or other Officer commanding a Guard ſhal willingly or knowingly ſuffer either Souldiers or Officers to go forth to a Duel or private fight, he ſhal be puniſhed for it, by the ſentence of a Court-Martial.

Forasmuch, as all Officers of what condition ſoever, ſhal have power to part and quell all Quarrells, Frays and ſuddain Diſorders between Souldiers and Officers, thogh of another Company, Troop or Regiment, & to commit the diſorder'd perſons to priſon, untill their proper Officers be acquainted therewith: And whoever ſhal reſiſt ſuch an Officer
(though

(though of another Company, Troop, or Regiment) or draw his sword upon him, shal be severely punished, as Our General Court-Martial shal appoint. But if two or more, going into the field to fight a Duel, shal draw their swords, or other weapons, though neither of them fall upon the spot, nor die afterwards of any wound there received; yet if they be Officers, they shal lose their Places, and if common souldiers, they shal be punished with riding the Wooden-horse, or otherwayes as a Court-Martial shal direct. And Lastly, in all cases of Duels, the Seconds shal be taken as Principals, and punished accordingly.

A R T. XXXVII.

N One shall be Mustered but such as are compleatly Armed, *viz.* Each Horse-man to have for his defensive Armes, Back, Breast and Foot, and for his offensive Armes, a Sword not under three foot long in the Blade, and a case of Pistols, the Barrels whereof not to be under fourteen Inches in length; and each Trooper of Our Guard to have a Carbine besides the foresaid Armes: And the Foot to have each Souldier a Sword or Dagger for their Muskets, and each Pikeman a Pike of sixteen Foot long and not under, and each Musket-ter a Musket (with a Collar of Bandaliers) the Barrel of which Musket to be about four-foot long and to contain a Bullet, fourteen of which shall make a pound, running into the Barrel.

If any borrow Armes of another to pass the Muster withall, the Lender, if he be a Souldier, shall forfeit the value of the Armes so lent, to be taken out of his Pay, and the Borrower shall be severely punished.

A R T. XXXVIII.

N One shall be allowed upon any Muster, who by loss of Limbs, or otherwise is unable for Our Service, but by Order from Us or Our General.

A R T.

A R T. XXXIX.

NO House-keeper or Inhabitant in the usual Quarters of Our Guard of Horse or Foot, or in the usual Quarters of any other Regiment or Garrison, shall be received or entertained into Our Service and Pay, and Mustered as a private Souldier without Order from Us, or Our General; Nor shall any Officer demand or receive directly or indirectly any sum of money whatsoever, from any under his command, for admitting and entertaining him into his Troop, Company or Garrison, upon pain of being Cashiered or rendered incapable of ever being employed again in the Army.

A R T. XL.

NO Captain of a Troop or Company shall upon pain of being rendered incapable of ever serving in Our Army any more, be allowed to Muster any Servants in his Troop or Company, but those who are not only fit and able for Our Service, but also are bound by Oath and Pay to follow the Troop or Company, and who duely and constantly appear at every Muster in proper Armes, unless they have leave to be absent, which is not to be granted but upon a real and good occasion. And whatever other person shall present himself or his Horse in the Muster, to mislead the Muster-Master or defraud Us, shall suffer such punishment as Our General Court-Martial think fit.

A R T. XLI.

NO man shall presume to present himself to the Muster-Master to be enrolled in the Muster-rols by a counterfeit or wrong name or surname, or Place of Birth or Habitation, upon pain of running the Goad-loup, if it be a Footman; or forfeiting the Horse and Armes he has if he be a Horse-man.

ART.

A R T. XLII.

ALL forlofs for some time shall be given by the Captain of each Troop, or Collonel of a Foot-Regiment, and if it shall be found, that under such Licences there is any collusion, the person guilty thereof shall not get what remains due of his Pay, nor thereafter be admitted into that Troop or Regiment.

A R T. XLIII.

NO Muster-Master shall knowingly let any pass the Muster, but such as are qualified according to the precedent Articles, upon penalty of losing his place

A R T. XLIV.

VV Whatever Lieutenant, Cornet or Ensign shall discover and make proof to the General-Officer or Collonel, that his Captain hath made false Musters, the said Captain shall be Cashiered, and the Lieutenant or Ensign discovering as aforesaid shall have the place of his Captain; and whatever Serjeant or Corporal shall discover and make proof of false Musters as aforesaid, shall have for each time the sum of five hundred merks Scots money, payable by the Pay-master at the first Muster immediatly following the discovery so made; but if his accusation shall upon examination be found false and malicious, in that case he shall be immediately Cashiered, and suffer such further punishment as shall be judged fit by Our General Court-Martial.

A R T. XLV.

IF any Souldier shall be sick, wounded or maimed in Our Service, he shall be sent out of our Camp to some fit place for his recovery, where he shall be provided for by the Officer appointed to take care of sick and wounded souldiers, & his wages or pay shall go on and be duely paid, until it doeth appear that he can be no longer serviceable
in

in Our Army, and then he shall be sent by Pass to his Countrey, with money to bear his Charges in his Travel.

A R T. XLVI.

ALL Captains shall use their utmost endeavours to have their Troops and Companies compleat and full, and within two dayes after every General-Muster, both the Captain and Our Muster-master shall send to the General: (if he requires it) and to the Treasurer or Pay-master of the Army a perfect List and Roll of all the Officers, Troopers and Souldiers of their Troops and Companies, that are in actual Service, punctually expressing at the foot of the Rolls what new Officers, Troopers and Souldiers have been entertained since the preceeding Muster, in lieu of such as have been Cashiered or are deceased, with the day when the one died or went off, and the other was entertained in his place.

A R T. XLVII.

ALL Commissions granted by Us or Our General, to any Officer in Pay, shall be brought to the Muster-master, who is to receive and enter the same in a Book fairly written, and no Commission Officers shall be allowed in Musters without a Commission from Us or Our General: and the same entered with the Commissaries General of the Musters or their Deputies, who are hereby required forthwith, and from time to time to send the Officers names to the Secretary, and Judge-Advocate of Our Forces, or Register of Our Court-Martial.

A R T. XLVIII.

NO Commission-Officer after Enrolment, and being Mustered, shall be dismissed or cashiered without Order from Us or Our General. But for None-commission-officers or private Souldiers, their Captains, with the approbation of their Collonels, or of the Governour of
the

the Garrison where they are, may discharge them when they find cause, taking other Non-commission-Officers or Souldiers in their Places: Provided that such Collonel or Governor, shal forthwith certify the Commissaries General of the Musters, that (by their approbation) such Non-commission Officers or Souldiers were discharged, and others taken into their Places Respectively. And in Quarters and Garrisons, where they are only single Troops or Companies, the Captains certificats are forthwith to be sent and accepted by the Commissaries General, expressing the day of each Non-commission-Officers or Souldiers Discharge or Death, and who was entertained in his Place.

A R T. XLIX.

WE do expressly forbid any Souldiers Duty either of Horse or Foot, to be done by any other then the Souldier himself, but in case of sickness and disability or other necessary cause, his Captain may dispence with his absence, without causing him to find another to serve in his stead.

A R T. L.

THe Muster-Master shall alwayes (the night before) give notice to the Officer in Chief, commanding any Regiment, Troop, Company or Garrison, of the time and place for their Musters, that so the Officers and Souldiers may have time to make ready for their Muster. Upon every Muster, three Muster Rols are to be prepared of the Respective Troops and Companies, in which Rols the names of all private Souldiers are to be written Alphabetically, one of which Rols is to be in Parchment for the Pay-master, and to be subscribed (together with another Roll which the Muster-Master is to keep) by two Commission-Officers (at the least) of the Respective Troops and Companies, and the Muster-Master; The third Muster

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Roll,

Roll is to be subscribed only by the Muster-Master, which the Officer is to keep, and no Rolls are to be allowed by the Muster-Master and Pay-Master, otherwise then as We have herein directed: and the said Muster-Rols are to be perfected forthwith upon every Muster.

A R T. L I.

IF any Trooper or Dragoon, shall lose or spoil his Horse or any Foot Souldier his Arms, or any part thereof by negligence or gaming, he shall remain in the qualitie of a Pioneer or Scavenger, till he be furnished with as good as were lost at his own charge, and if he be not otherwise able, the one half of his pay shal be deducted and set apart for the providing of it, till he be re-furnished.

Neither shall any Souldier pawn or sell, or negligently or wilfully break his Arms, or any part thereof, or any Hatchets, Spades, Shovels, Pick-axes, or other necessaries of war, upon pain of severe punishment, at the discretion of our General Court-Martial.

And where Arms or other necessaries aforesaid shal be pawned, they are to be forfeited and seized on for our use.

A R T. L I I.

ALL Officers and Souldiers, and also the Muster-Masters, not duely observing these Orders and Instructions, and every of them respectively shal be cashiered, or lyable to such other punishments as our Self, our General or Court-Martial shal appoint.

A R T. L I I I.

NOne shal presume to spoil, sell, or convey away any Ammunition delivered unto him, upon pain of suffering death, or such other punishment as our General-Court-Martial shal think fit.

A R T.

A R T. L I V.

NO Officer, Provider or Keeper of our Victuals or Ammunition for our Forces, shal imbezil or willingly spoil, or give a false account of any part thereof; to whom he is to make his accompt upon pain of suffering such punishment as our General Court-Martial shal think fit.

A R T. L V.

NO Commissary or Victualler shal bring or furnish unto the Camp any unfound or unsavory Victuals of what kind soever, whereby sickness may grow in the Army, or the service be hindered; and if upon Examination before our General Court-Martial, he shal be found guilty, he shal suffer such punishment as they shal think fit.

A R T. L V I.

NO Officer or Souldier shal be a Victualler in the Army, without consent and allowance of our General, or of the Officer in chief of the Regiment, upon pain of being punished at discretion.

A R T. L V I I.

NO Victualler or Seller of Beer, Ale or Wine, belonging to the Army, shal entertain any souldier in his House, Booth, Tent or Hut, after the Warning-piece, Tattoe, or Beat of Drum at night, or before the beating of Revalles in the morning; nor shal any souldier (within that time) be any where, but upon his duty, or in his quarters, upon pain of punishment, both to the Souldier and Entertainer, at the discretion of a Court Martial.

A R T. L V I I I.

THe Commission-Officers of every Regiment may hold a Court-Martial for that Regiment, upon every necessary occasion. There shal also be a Provost-Martial of every Regiment, likeas there shal be a Martial in the Troop

Guard, who shal have the same priviledge in his own Regiment or Troop, as the Provost-Martial-General bath in the Army or Camp, and such fees also as the Court-Martial shall allow.

A R T. L I X.

THose who are Judges in our General-Court Martials, or in Regimental Court-Martials, shal hold the same rank in those Courts as they do in the Army for orders sake; and they shal take an Oath for the due administration of Justice, or (where these Articles assign no absolute punishment) according to their consciences, the best of their understandings, and the custom of War in like cases; and shal demean themselves orderly in the hearing of causes (as becomes the gravity of such a Court) and before giving of sentence, every Judge shal deliver his vote or opinion distinctly; and the sentence is to be according to the plurality of votes, and if there happen to be an equality of votes, the President is to have a casting vote.

And when the sentence is to be given, the President shal pronounce it; and after that the sentence is pronounced the Provost-Martial shal have warrant to cause execution to be done according to the sentence.

A R T. L X.

AT our General-Court-Martial there shal be a Clerk, who is to be sworn to make true and faithful Records of all the proceedings of that Court; and there shal be also such other Officers appointed both for that, and also for the Regimental Court Martials, as shal be necessary: And our General Court-Martial may appoint and limit the Fees of our Provost-Martial General, as they shal think fit.

A R T. L X I.

ALL controversies, either between Souldiers and their Captains or other Officers, or between Souldier
and

and Souldier, relating to their Military capacities, shall be summarily heard and determined at the next Court-Martial of the Regiment.

A R T. LXII.

IN any matter which shal be adjudged in any of the afore-
said Regimental Court-Martials, either of the Parties
that finds himself aggrieved, may appeal to our General-
Court-Martial, who are to take care, that if the party ap-
pealing make not good his suggestion, recompence be made
to the other for the trouble and charge of such an Appeal.

A R T. LXIII.

IN all Criminal Causes which concern our Crown, our Ad-
vocate-General or Judge-Advocate of our Army, shal
inform the Court, and prosecute on our behalf.

A R T. LXIV.

NO Officer or Souldier shal presume to hinder the Pro-
vost-Martial, his Lieutenant or Servants, in the exe-
cution of that Office, upon pain of death, or such other pu-
nishment as our Court-Martial shal think fit. But on the con-
trary, all Captains, Officers and Souldiers, shal do their ut-
most to apprehend and bring to punishment all offenders, &
shal assist the Officers of our Army or Regiment for that pur-
pose, especially the said Provost Martial his Lieutenant and
Servants. And if the Provost-Martial or his Officers re-
quire the assistance of any Officer or Souldier, in apprehen-
ding any person, declaring to them that it is for a capital
Crime, and the party escape for want of aid and assistance,
the partie or parties refusing to aid or assist, shal suffer such
punishment as our Court-Martial shal inflict.

A R T. LXV.

THat Officer or Souldier who shal presume to draw
his Sword in any Place of Judicature, while the
Court is sitting, shal be put to death. And, We hereby au-
thorize

thorize our Provost Martial, General of our Army by his own authority to apprehend such offenders. And if any Souldier being committed for any offence, shal break prison, the said Provost Martial General shal by his own authority apprehend him; and the offender shal suffer death, or such other punishment, as our General Court-Martial shal think fit

A R T. LXVI.

IF any fray shal happen within the Camp or Place of Garrison, in any of the souldiers Lodgings, or where they meet, it shal be enquired into by the Officers of the Regiment, and the beginners and pursuers thereof punished according to the quality of the offence.

A R T. LXVII.

IF any Inferior Officer, either of Horse or Foot be wronged by his Officer, he may complain to his Collonel, or other Superior Officer of the Regiment, who is to redress the same upon due proof made of the wrong done; but if he fail therein, the Party aggrieved is to apply to the General-Officer for redress; And if the accusation be false, the Complainant is to be punished, according as his Officer deserved, if he had been found guilty.

A R T. LXVIII.

IF any Colonell or Captain, shal force or take any thing away from any private Souldier; that Colonell or Captain shal be punished according to the quality of the Offence, by the judgement of Our General Court-Martial: But if a Souldier shal be wronged, and shal not appeal to the Court, or his Superior Commanders, but take his own satisfaction for it, he shal be punished by the judgement of a Court-Martial.

A R T. LXIX.

IF any Souldier die, no other shal take or spoile his goods, upon pain of restoring double the value to him to whom they

they belong , and of such further punishments as Our Court-Martial shal think fit. But the Captain of the Company of which such a Souldier was shal take the said Goods into his custody, and dispose of them for paying his Quarters , and to keep the over-plus (if any be) for the use of those to whom they belong , and who shal claime the same within three moneths after his death. And if any Captain or Officer die , the Chief Commander shal take care of preserving his Estate in like manner.

A R T. L X X.

NO Provost Martial shal refuse to receive or keep a Prisoner sent to his charge by authority , or shal dismisse him without order , upon pain of such punishment as a Court-Martial shal think fit. And if the offence for which the Prisoner was apprehended deserved death, the Provost-Martial failing to receive and keep him as aforesaid , shal be liable to the same punishment.

A R T. L X X I.

IF any person be committed by the Provost-Martials own Authority , without other command , he shal acquaint the General or other chief Commader with the cause thereof within twentie four hours ; and the Provost-Martial shal thereupon dismisse him , unlesse he have order to the contrary.

A R T. L X X I I.

NO man shal presume to use any braving or menacing words, signes, or gestures , where any of the foresaid Courts of Justice are sitting, upon pain of suffering such punishment as the Court-Martial shal think fit.

A R T. L X X I I I.

When ever any sentence of Death is given out in the under Court-Martial, it shal be read by the Register of the Court in the presence of the condemned

demned, and signed by the President; thereafter it shal be given to the General or chief officer, who may notwithstanding suspend the same untill he shal acquaint Us, or see it put in Execution when he shal think fit.

A R T. L X X I V.

IN the General Court-Martial shal alwayes preside one of the Great Officers of the Army, Likewise, in the Regiments of Foot, the Colonell or Lieutenant Colonell: And when it shal happen to fall out amongst the Horse, the Captain of Our Guard shal Preside, or a General officer, who for want of number to make up twelve with the President, may call Officers of Foot, who all shal take the Oath aforesaid; and then proceed to their judgement, untill sentence shal be pronounced against the Delinquent, or in the matter contraverted.

A R T. L X X V.

VWhatever is to be published, or generally made known, shal be done by beat of Drum or sound of Trumpet, that so no man may pretend ignorance thereof. And after that, whoever shal be found disobedient or faulty against what is thus published, shal be punished conform to the pains contained in the Proclamation,

IT is Our Royal Pleasure, That the foregoing Articles and Rules (in number, 75.) for the better Government of Our Forces in Our ancient Kingdom of SCOTLAND, be forthwith Printed and Published. For doing whereof this shal be to all Persons that may be therein concerned a sufficient warrand. Given at Our Court at White-hall the 26th. day of Feb. 167⁴/₅ and of Our Reign, the 27th. Year.

By His Majesties Command,
LAUDERDALE.

F I N I S.

